

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6(4), the Department of Human Services proposes to amend Chapter 65, “Food Assistance Program Administration,” Iowa Administrative Code.

The proposed amendment would implement an option in the federal Supplemental Nutrition Assistance Program regulations at 7 CFR 273.2(j) to expand categorical eligibility beyond households in which all members receive Family Investment Program or Supplemental Security Income benefits. Households that are categorically eligible for Food Assistance are not subject to Food Assistance income and asset limits.

The mechanism for this expansion is broad-based categorical eligibility, under which households that are determined eligible for Iowa’s new Promoting Healthy Marriage Program will be categorically eligible for Food Assistance. The gross income limit for that new program is 160 percent of the federal poverty level, which compares to the standard Food Assistance gross income limit of 130 percent of the federal poverty level. Notice of Intended Action for the Promoting Healthy Marriage Program is published herein as **ARC 9019B**.

This amendment does not provide for waivers in specified situations because the expansion of categorical eligibility is a benefit to the persons affected.

Any interested person may make written comments on the proposed amendment on or before September 14, 2010. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by E-mail to policyanalysis@dhs.state.ia.us or by fax to (515)281-4980.

This amendment is intended to implement Iowa Code section 234.12 and 2010 Iowa Acts, House File 2526, section 7(4)(d)(2).

The following amendment is proposed.

Amend rule 441—65.39(234) as follows:

441—65.39(234) Categorical eligibility.

65.39(1) Notwithstanding anything to the contrary in these rules or in federal regulations, a household in which all members are recipients of a state or local general assistance (GA) program is subject to categorical eligibility provisions of the food assistance program provided that the state or local program:

1. a. Has income limits at least as stringent as the food assistance gross income test; and
2. b. Gives assistance other than one-time emergency payments that cannot be given for more than one continuous month.

65.39(2) Notwithstanding anything to the contrary in these rules or in federal regulations, a household is subject to categorical eligibility provisions of the food assistance program for any month in which the household is determined eligible for the Iowa promoting healthy marriage program pursuant to rule 441—47.2(234).